



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

October 11, 2011

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Second District

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Third District

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To: Mayor Michael D. Antonovich
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Don Knabe

From: William T Fujioka
Chief Executive Officer

SACRAMENTO UPDATE

On Sunday, October 9, 2011, Governor Brown completed action on the remaining measures enacted by the Legislature in the first year of the FY 2011-12 Legislative Session. This memorandum provides a report on the Governor's action on 13 County advocacy measures and four County-interest bills.

Status of County-Advocacy Legislation

County-opposed AB 74 (Ma), which would prohibit the California Department of Food and Agricultural from entering into cooperative agreements with a county of the first class for agricultural inspector services, unless at least 66 percent of agricultural inspector aides are hired as permanent employees, was signed by the Governor on October 9, 2011, and it is Chapter 666, Statutes of 2011. This measure becomes effective January 1, 2012.

County-supported AB 499 (Atkins), which would allow a minor age 12 or older to consent to medical care related to the prevention of a sexually transmitted disease, was signed by the Governor on October 9, 2011, and it is Chapter 652, Statutes of 2011. This measure becomes effective January 1, 2012.

County-opposed AB 646 (Atkins), which would authorize an employee organization to request a fact-finding panel to resolve labor disputes when a mediator is unable to reach a settlement, was signed by the Governor on October 9, 2011 and it is Chapter 680, Statutes of 2011. This measure becomes effective January 1, 2012.

"To Enrich Lives Through Effective And Caring Service"

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County-opposed AB 1155 (Alejo), which would prohibit consideration of a number of factors such as race, religious creed, national origin, marital status, sex, sexual orientation, age or genetic characteristics when determining the allocation of disability benefits to an employee filing a workers' compensation claim, was vetoed by the Governor on October 7, 2011.

In his veto message, the Governor noted that the courts already recognize that apportioning a disability award to any of these classifications is antithetical to the State's non-discrimination policies. He further stated that the bill would not change existing law as interpreted by the courts, but would generate new litigation over questions of whether the measure is intended to change existing interpretations.

County-supported 1297 (Chesbro), which would conform State claiming and reimbursement for specialty mental health services to Federal Medicaid regulations, was signed by the Governor on October 9, 2011, and it is Chapter 651, Statutes of 2011. This measure becomes effective January 1, 2012.

County-supported AB 1382 (Hernández), which would authorize HIV counselors to perform skin punctures for hepatitis C virus (HCV) or a combination of HIV/HCV tests, was signed by the Governor on October 9, 2011, and it is Chapter 643, Statutes of 2011. This measure becomes effective January 1, 2012.

County-supported SB 161 (Huff), which would allow, in the absence of a school nurse, non-medical school personnel who have received training on a voluntary basis to administer anti-seizure medication to students who are suffering from epileptic seizures, was signed by the Governor on October 7, 2011, and it is Chapter 560, Statutes of 2011. This measure becomes effective January 1, 2012.

County-opposed SB 469 (Vargas), which would require the inclusion of an economic impact report in any retail superstore development project permit application submitted to a city, county or city and county, was vetoed by the Governor on October 10, 2012.

In his veto message, the Governor indicated that while the merits of large-scale projects need to be carefully considered, plenty of laws are already on the books that enable and in some cases, require cities and counties to carefully assess whether these projects are in a community's best interests. He also indicated that this bill would add yet another layer of review to an already cumbersome process.

County-supported SB 482 (Kehoe), which would transfer primary responsibility for beach water quality monitoring from the State Department of Public Health to the State Water Resources Control Board, was signed by the Governor on October 8, 2011, and it is Chapter 592, Statutes of 2011. This measure becomes effective January 1, 2012.

County-supported SB 586 (Pavley), which as amended on August 15, 2011, would impose a series of restrictions on the issuance of signature stamps by State-chartered banks and credit unions, and would define how revenues from fines for certain crimes against elder and dependent adults shall be dedicated to county Adult Protective Services (APS) programs, was vetoed by the Governor on October 9, 2011.

In his veto message, the Governor indicated that the bill would not prevent the fraudulent use of stamps, and that he had already signed AB 332 which more directly addresses the problem of financial abuse against elder and dependent adults by increasing fines for embezzlement, forgery and identity theft. The Governor's veto message did not address proposed revenues from fines for certain crimes against elder and dependent adults that would be dedicated to county APS programs under the bill.

County-supported SB 695 (Hancock), which would extend Medi-Cal benefits to youth awaiting adjudication in county juvenile detention facilities, was signed by the Governor on October 9, 2011, and it is Chapter 647, Statutes of 2011. This measure becomes effective January 1, 2012.

County-supported SB 746 (Lieu), which would prohibit minors under 18 years of age from utilizing ultraviolet (UV) tanning devices and eliminate the option for parents to provide consent for their minor children over the age of 14 to use UV tanning devices, was signed by the Governor on October 9, 2011, and it is Chapter 664, Statutes of 2011. This measure becomes effective January 1, 2012.

County-supported SB 946 (Steinberg and Evans), which would require health care service plan contracts and health insurance policies to provide coverage for behavioral health treatment of autism, was signed by the Governor on October 9, 2011, and it is Chapter 650, Statutes of 2011. This measure becomes effective July 1, 2012.

Legislation of County Interest

AB 438 (Williams), which would, until January 1, 2019, impose requirements, on a city or library district that intends to withdraw from a county free library system and operate libraries with a private contractor, was signed by the Governor on October 8, 2011, and it is Chapter 611, Statutes of 2011. This measure becomes effective January 1, 2012.

AB 506 (Wieckowski), which would allow local agencies to file for Chapter 9 bankruptcy protection by adopting a resolution, by a majority vote, at a noticed public hearing based on findings that the financial state of the local public entity jeopardizes the health, safety, or well-being of the residents of the local public entities jurisdiction, was signed by the Governor on October 8, 2011, and it is Chapter 592, Statutes of 2011. This measure becomes effective January 1, 2012.

AB 720 (Hall), which would limit the flexibility of counties with a population of less than 50,000, who utilize Road Commissioner Authority for work on roads and highways for more than maintenance and emergency, effectively preventing counties from using the Uniform Public Construction Cost Accounting Act, and limiting the percentage of work that can be performed for road construction and reconstruction to 30 percent of all force account work done in a county, was signed by the Governor on October 9, 2011, and it is Chapter 683, Statutes of 2011. This measure becomes effective January 1, 2012.

AB 947 (Solorio), which would add certain surgical cases to the list of conditions that are exceptions to the 104 week cap on temporary disability benefits, thereby allowing up to 240 weeks of temporary disability benefits in those cases, was vetoed by the Governor on October 7, 2011.

In his veto message, the Governor noted that it is vital that injured workers receive adequate compensation to provide for their needs when they are unable to work due to work-related injuries; however, workers' compensation reforms need to be maintained to ensure that the costs are sustainable.

County-Advocacy Bill List

The bill list containing the status of all County-advocacy measures tracked in 2011 is available at: http://ceo.lacounty.gov/igr/PDF/bill_list/2011/current.pdf.

We will continue to keep you advised.

WTF:RA
MR:IGEA:sb

c: All Department Heads
Legislative Strategist